

Message

From: Rebecca Hogaboam [rebecca.hogaboam@usecology.com]
Sent: 12/31/2020 3:28:53 AM
To: Castrilli, Laura [Castrilli.Laura@epa.gov]
CC: Karlita Simper [karlita.simper@usecology.com]; Mullin, Michelle [Mullin.Michelle@epa.gov]; brian.english@deq.idaho.gov; Daryl.Sawyer@deq.idaho.gov; Brian Lindman [brian.lindman@usecology.com]; Erica Bartlett [Erica.Bartlett@usecology.com]; Pierre-Luc Juteau [pierreluc.juteau@usecology.com]; Noel Bailey [noel.bailey@usecology.com]; Ogle, Kimberly [Ogle.Kimberly@epa.gov]; Gallagher, Shirin [Gallagher.Shirin@epa.gov]
Subject: RE: Container Storage
Attachments: 2020 PCB Permit App - REDLINE- 12-31-2020.doc

Good evening-

Thank you for the below feedback. Attached is the requested redline of the approval application. The final application and letter will be submitted tomorrow.

Thank you,
Rebecca Hogaboam
EH&S Compliance Manager
US ecology
rebecca.hogaboam@usecology.com
pt 208.834.2275 ext. 2344

From: Castrilli, Laura <Castrilli.Laura@epa.gov>
Sent: Thursday, December 17, 2020 2:31 PM
To: Rebecca Hogaboam <rebecca.hogaboam@usecology.com>
Cc: Karlita Simper <karlita.simper@usecology.com>; Mullin, Michelle <Mullin.Michelle@epa.gov>; brian.english@deq.idaho.gov; Daryl.Sawyer@deq.idaho.gov; Brian Lindman <brian.lindman@usecology.com>; Erica Bartlett <Erica.Bartlett@usecology.com>; Pierre-Luc Juteau <pierreluc.juteau@usecology.com>; Noel Bailey <noel.bailey@usecology.com>; Ogle, Kimberly <Ogle.Kimberly@epa.gov>; Gallagher, Shirin <Gallagher.Shirin@epa.gov>
Subject: Re: Container Storage

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Rebecca, based on our discussions with US Ecology and good faith agreement that USEI would no longer store PCBs onsite and would submit a final application by Dec 18, 2020, EPA R10 Management has made an internal commitment to EPA HQ to finalize this approval by June, 30, 2020.

The due date for the final application is extended to December 31. One way to quickly address this last minute change regarding storage of PCBs would be for USEI to certify that they will comply with applicable portions of 761.65 other than 761.65(b) and 761.65(d).

I would appreciate a red-line of the changes between the final application and the prior draft final. Please call me if you have any questions. Thank you,

Laura Castrilli
(206) 553-4323; castrilli.laura@epa.gov
Land, Chemicals & Redevelopment Division
EPA Region 10; 1200 Sixth Ave., Suite 155, MS 15-H04; Seattle, WA 98101-3188

From: Rebecca Hogaboam <rebecca.hogaboam@usecology.com>
Sent: Wednesday, December 16, 2020 4:06 PM
To: Castrilli, Laura <Castrilli.Laura@epa.gov>
Cc: Karlita Simper <karlita.simper@usecology.com>; Mullin, Michelle <Mullin.Michelle@epa.gov>; brian.english@deq.idaho.gov; Daryl.Sawyer@deq.idaho.gov; Brian Lindman <brian.lindman@usecology.com>; Erica Bartlett <Erica.Bartlett@usecology.com>; Pierre-Luc Juteau <pierreluc.juteau@usecology.com>; Noel Bailey <noel.bailey@usecology.com>
Subject: RE: Container Storage

Hello Laura,

Based on the information below, USEI would like to take some additional time to review the requirements and work all of the information into the permit application. Would it be acceptable to move the submittal date out to January 22, 2021?

Thank you,
Rebecca Hogaboam
EH&S Compliance Manager
US ecology
rebecca.hogaboam@usecology.com
p: 208.834.2275 ext. 2344

From: Castrilli, Laura <Castrilli.Laura@epa.gov>
Sent: Wednesday, December 16, 2020 11:39 AM
To: Rebecca Hogaboam <rebecca.hogaboam@usecology.com>
Cc: Karlita Simper <karlita.simper@usecology.com>; Mullin, Michelle <Mullin.Michelle@epa.gov>; brian.english@deq.idaho.gov; Daryl.Sawyer@deq.idaho.gov
Subject: Re: Container Storage

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Rebecca, I discussed this with Michelle and we agree that storage of PCBs items in an area permitted by the state of Idaho to manage hazardous waste in containers, where spills of PCBs are cleaned up in accordance with subpart G of this part, does not require separate approval under 761.65(d), or need to comply with the engineering requirements of 761.65(b). However, the PCB operations documentation/application needs to be clear on how USEI will comply with other applicable subparagraphs of 761.65. We are also interested in understanding how, in an outside storage area without walls and a roof, USEI will be able to determine whether there has been a release from PCBs/PCB items designated for disposal after a storm event.

In order for the EPA to make a determination of no unreasonable risk of injury to health or the environment, there will be approval conditions regarding indoor and outdoor storage of PCBs/PCB items designated for disposal. It is expected that outdoor storage of PCB wastes designated for disposal will be wastes eligible for direct landfill and they will not be held indefinitely in RCRA permitted storage areas. That is, they will be landfill disposed of within X days of receipt and the storage is only for staging purposes.

It is the EPA's expectation that storage of PCB wastes that cannot be directly landfilled will occur in one of the enclosed RCRA permitted storage areas and that storage will also be time limited. Let us know if we need to discuss this further. Thank you.

Laura Castrilli
(206) 553-4323; castrilli.laura@epa.gov
Land, Chemicals & Redevelopment Division

From: Rebecca Hogaboam <rebecca.hogaboam@usecology.com>
Sent: Monday, December 14, 2020 10:50 AM
To: Castrilli, Laura <Castrilli.Laura@epa.gov>; Mullin, Michelle <Mullin.Michelle@epa.gov>
Cc: Karlita Simper <karlita.simper@usecology.com>
Subject: FW: Container Storage

Hello-

As Karlita was getting everything ready for our Friday submittal, she ran across the below regulatory citation. Based on 761.65(b)(2)(iii), it looks as if USEI could store PCBs in any of our RCRA permitted storage areas, even though they don't have a roof/walls, since all PCB spills are cleaned up in accordance with Subpart G. Is this correct?

Thank you,
Rebecca Hogaboam
EH&S Compliance Manager
US ecology
rebecca.hogaboam@usecology.com
p: 208.834.2275 ext. 2344

From: Karlita Simper <karlita.simper@usecology.com>
Sent: Monday, December 14, 2020 11:19 AM
To: Rebecca Hogaboam <rebecca.hogaboam@usecology.com>
Subject: Container Storage

761.65(b)

(2) No person may store PCBs and PCB Items designated for disposal in a storage unit other than one approved pursuant to paragraph (d) of this section or meeting the design requirements of paragraph (b) of this section, unless the unit meets one of the following conditions:

(i) Is permitted by EPA under section 3004 of RCRA to manage hazardous waste in containers, and spills of PCBs are cleaned up in accordance with subpart G of this part.

(ii) Qualifies for interim status under section 3005 of RCRA to manage hazardous waste in containers, meets the requirements for containment at Â§264.175 of this chapter, and spills of PCBs are cleaned up in accordance with subpart G of this part.

(iii) Is permitted by a State authorized under section 3006 of RCRA to manage hazardous waste in containers, and spills of PCBs are cleaned up in accordance with subpart G of this part.

(iv) Is approved or otherwise regulated pursuant to a State PCB waste management program no less stringent in protection of health or the environment than the applicable TSCA requirements found in this part.

(v) Is subject to a TSCA Coordinated Approval, which includes provisions for storage of PCBs, issued pursuant to Â§761.77.

Karlita Simper
Environmental Compliance Specialist

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